

C. Remarks

The claims are 21-36, with claims 21-24 being independent. Claims 1 and 4-20 have been cancelled without prejudice or disclaimer. Claims 21-24 have been rewritten in independent form. Cancelled claims 4, 6, 7 and 11-13 have been re-represented as new claims 25-36 to reflect the rewriting of claims 21 and 22, which previously depended from claim 1, in independent form. No new matter has been added. Reconsideration of the present claims is expressly requested.

Claims 21 and 23 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite.

Applicants have amended these claims to address the Examiner's concerns. Accordingly, withdrawal of this rejection is respectfully requested.

Applicants thank the Examiner for his indication that claims 21-24 would be allowable if rewritten in independent form. In keeping with this indication of allowable subject matter, Applicants have amended each of these claims into independent form. Consequently these claims are believed to be in condition for allowance. In addition, since claims 25-36 depend directly or indirectly from claim 21 or 22, these claims are also believed to be in condition for allowance.

The Office Action entered rejections of claims 1, 5 and 20 under 35 U.S.C. § 102(b) as being allegedly obvious from Viswanatham Katta et al., "A Pulsed Ion Bombardment Time-of-Flight Mass Spectrometer with High Sensitivity for the Analysis of Peptides," 105 Int. J. Mass Spectrom. Ion Processes 129-45 (1991) (Katta). Claims 1, 4, 5, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Katta in view of U.S. Patent No. 6,137,110 (Pellin). Claims 1, 5-17 and 20 stand rejected under 35

U.S.C. § 103(a) as being allegedly obvious from Katta in view of H.F. Arlinghaus et al., “TOF-SIMS Characterization of DNA and PNA Biosensor Chips,” Proceedings of the 12th International Conference on Secondary Ion Mass Spectrometry, pp. 951-54 (September 1999) (Arlinghaus).

As noted above, all rejected claims been cancelled, and the remaining claims are seen to be in condition for allowance for the reasons noted above. The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance. Thus, the above rejections are moot and should be withdrawn.

Wherefore, Applicants respectfully request that the outstanding rejections be withdrawn and that the present case be passed to issue.

This Amendment After Final Rejection should be entered because it complies fully with the requirements set forth in 37 C.F.R. § 1.116. Specifically, the rejected claims have all been cancelled and Applicants complied with the requirements set forth by the Examiner by rewriting claims 21-24 in independent form. Since new claims 25-36 are essentially claims 4, 6, 7 and 11-13 re-represented due to the cancellation of claim 1 and the rewriting of claims 21 and 22 in independent form, they do not raise new issues requiring further consideration and/or search.

Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve them and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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